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Attorneys for Defendants, JPMorgan Chase Bank, National Association and Wells Fargo Bank National Association, as Trustee for Carrington Mortgage Loan Trust, Series 2007-FRE1, Asset-Backed Pass Through Certificates

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NICOLE JOHNSON-GELLINEAU,

Plaintiff,

v.

STIENE & ASSOCIATES, P.C.;
CHRISTOPHER VIRGA, ESQ.; RONNI
GINSBERG, ESQ.; JPMORGAN CHASE
BANK, NATIONAL ASSOCIATION;
WELLS FARGO BANK NATIONAL
ASSOCIATION, AS TRUSTEE FOR
CARRINGTON MORTGAGE LOAN
TRUST, SERIES 2007-FRE1, ASSET-
BACKED PASS-THROUGH
CERTIFICATES,

Defendants.

Document filed electronically

Civil Action No. 7:16-cv-09945-KMK

**NOTICE OF MOTION TO DISMISS THE
COMPLAINT PURSUANT TO
FED. R. CIV. P. 12(b)(6)**

TO: Nicole Johnson-Gellineau, *pro se*
149 Wilkes Street
Beacon, NY 12508
Pro Se Plaintiff

Matthew J. Bizzaro, Esq.
L'Abbate, Balkan, Colavita & Contini, L.L.P.
1001 Franklin Avenue
Garden City, New York 11530
*Counsel for Defendants, Stiene & Associates,
P.C., Christopher Virga, Esq., and Ronni
Ginsberg, Esq.*

PLEASE TAKE NOTICE that Defendants, JPMorgan Chase Bank, National Association and Wells Fargo Bank National Association, as Trustee for Carrington Mortgage Loan Trust,

Series 2007-FRE1, Asset-Backed Pass Through Certificates (collectively, "Defendants"), by and through their attorneys, shall move before the Hon. Kenneth M. Karas, U.S.D.J. in accordance with the July 17, 2017 Motion Scheduling Order, for an Order granting Defendants' Motion to Dismiss with Prejudice the Complaint filed by Plaintiff, Nicole Johnson-Gellineau, pursuant to Fed. R. Civ. P. 12(b)(6).

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendants will rely upon the accompanying Memorandum of Law and Declaration of Brian P. Scibetta, Esq.

PLEASE TAKE FURTHER NOTICE that oral argument on the Motion will be on a date and at a time designated by the Court.

Respectfully submitted,

BUCKLEY MADOLE, P.C.

By: /s/ Brian P. Scibetta
Brian P. Scibetta

Dated: August 11, 2017